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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ANTHONY D. DAVIS,

9 Petitioner,

10 v.

11 RON HAYNES,

12 Respondent.

CASE NO. C19-5156 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

13 This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Theresa L. Fricke, United States Magistrate Judge, Dkt. 29, and
14 Petitioner Anthony Davis’s (“Davis”) objections to the R&R, Dkt. 30.

15 On November 15, 2019, Judge Fricke issued the R&R recommending that the
16 Court dismiss Davis’s petition as time-barred. Dkt. 29. On November 22, 2019, Davis
17 filed objections. Dkt. 30

18 The district judge must determine de novo any part of the magistrate judge’s
19 disposition that has been properly objected to. The district judge may accept, reject, or
20 modify the recommended disposition; receive further evidence; or return the matter to the
21 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).
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1 In this case, Davis alleges numerous errors in the R&R but none of them have
2 merit. For example, Davis argues that his petition is timely because state court review
3 concluded on February 6, 2019. Dkt. 30 at 2. The state court, however, denied Davis
4 personal restraint petition as an untimely challenge to his 1995 conviction and sentence.
5 27-1 at 425–27. Therefore, the Court having considered the R&R, Davis’s objections,
6 and the remaining record, does hereby find and order as follows:

- 7 (1) The R&R is **ADOPTED**;
- 8 (2) Davis’s petition is **DISMISSED** as time-barred;
- 9 (3) A Certificate of Appealability is **DENIED**; and
- 10 (4) The Clerk shall enter a JUDGMENT and close the case.

11 Dated this 27th day of January, 2020.

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14 BENJAMIN H. SETTLE
United States District Judge

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